
HOUSE BILL No. 1422

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-15; IC 10-19-8-2.

Synopsis: Homeland security foundation. Adds six voting members to the Indiana homeland security foundation. Provides that one legislator from each caucus serves as a nonvoting, advisory member. Permits an advisory member to serve as chair of the foundation. Requires the foundation to adopt rules establishing criteria for awarding grants from the Indiana homeland security fund. Adds the following nonvoting members to the counterterrorism and security council: (1) The minority leader of the house of representatives. (2) The minority leader of the senate.

Effective: July 1, 2007.

Herrell, Ruppel, Tincher

January 16, 2007, read first time and referred to Committee on Rules and Legislative Procedures.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1422

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-15-2-2, AS AMENDED BY P.L.22-2005,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2007]: Sec. 2. (a) The foundation consists of ~~nine (9)~~ **fifteen**
4 **(15)** voting members and four (4) nonvoting advisory members.

5 (b) **The following are** voting members: ~~shall be appointed by the~~
6 ~~governor:~~

7 (1) **The executive director, subject to subsection (e).**

8 (2) **The state fire marshal.**

9 (3) **The building law compliance officer employed under**
10 **IC 10-19-7-4.**

11 (4) **An employee of the department who has experience in**
12 **emergency management, appointed by the governor.**

13 (5) **An employee of the department who has expertise in the**
14 **provision of emergency medical services, appointed by the**
15 **governor.**

16 (6) **Ten (10) members, each representing an Indiana**
17 **congressional district, appointed by the governor. Each**



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Indiana congressional district must be represented **under this subdivision** by at least one (1) member who is a resident of that congressional district. Not more than five (5) of the members appointed under this ~~subsection~~ **subdivision** may represent the same political party.

(c) The four (4) nonvoting advisory members are as follows:

(1) Two (2) members **of the senate**, one (1) ~~from each political party~~, appointed by the president pro tempore of the senate ~~with advice from~~ **and one (1) appointed by** the minority leader of the senate.

(2) Two (2) members **of the house of representatives**, one (1) ~~from each political party~~, appointed by the speaker of the house of representatives ~~with advice from~~ **and one (1) appointed by** the minority leader of the house of representatives.

(d) In the absence of a member, the member's vote may be cast by another member if the member casting the vote has a written proxy in proper form as required by the foundation.

(e) The executive director may vote for tiebreaking purposes only.

SECTION 2. IC 10-15-2-3, AS AMENDED BY P.L.22-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 3. (a) A quorum consists of ~~five (5)~~ **eight (8)** of the voting members of the foundation **described in section 2(b)(2) through 2(b)(6) of this chapter.**

(b) In order for the foundation to take action, the affirmative vote of at least ~~five (5)~~ **voting members of the foundation**; ~~is necessary for the foundation to take action; a majority of the quorum is necessary.~~ **The executive director shall break a tie vote.**

SECTION 3. IC 10-15-2-7, AS AMENDED BY P.L.22-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. (a) At the foundation's first meeting after June 30 of each year, the voting members shall select:

(1) one (1) ~~of the voting members~~ **member** to serve as chairperson; and

(2) one (1) ~~of the voting members~~ **member** to serve as vice chairperson.

(b) The vice chairperson shall exercise all the duties and powers of the chairperson in the chairperson's absence or disability.

SECTION 4. IC 10-15-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. (a) The executive director and agency, institute, and department staff designated by the director shall act as advisers to the foundation.

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(b) An adviser to the foundation may do the following:

(1) Attend all meetings of the foundation.

(2) Participate in all proceedings at foundation meetings other than voting, **subject to section 2(e) of this chapter.**

SECTION 5. IC 10-15-3-4, AS AMENDED BY P.L.101-2006, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. The foundation shall do the following:

(1) Hold the fund in the name of the foundation.

(2) Administer the fund.

(3) Make all expenditures from the fund.

(4) Adopt rules under IC 4-22-2 governing the distribution of money from the fund. Rules adopted under this subdivision must include the following:

(A) Criteria for making a grant from the fund. The foundation shall consider:

(i) the geographic representation of all regions of Indiana, including both urban and rural communities and neighborhoods; and

(ii) statewide population distribution; in establishing the criteria.

(B) A provision that the amount of a grant awarded from the fund may not be based solely on the anticipated geographic impact of the proposed project for which the grant is awarded.

(C) A provision that a grant application may not be denied solely because the applicant has not applied for federal funding for the project that is the subject of the application.

SECTION 6. IC 10-19-8-2, AS AMENDED BY P.L.101-2006, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) The council consists of the following members:

(1) The lieutenant governor.

(2) The executive director.

(3) The superintendent of the state police department.

(4) The adjutant general.

(5) The state health commissioner.

(6) The commissioner of the department of environmental management.

(7) The director of the department of agriculture.

(8) The chairman of the Indiana utility regulatory commission.

(9) The commissioner of the Indiana department of transportation.

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(10) The executive director of the Indiana criminal justice institute.

(11) The commissioner of the bureau of motor vehicles.

(12) A local law enforcement officer or a member of the law enforcement training academy appointed by the governor.

(13) The speaker of the house of representatives or the speaker's designee.

(14) The president pro tempore of the senate or the president pro tempore's designee.

(15) The minority leader of the house of representatives or the minority leader's designee.

(16) The minority leader of the senate or the minority leader's designee.

~~(15)~~ (17) The chief justice of the supreme court.

~~(16)~~ (18) The director of the department of natural resources or, if designated by the director, the deputy director who manages the bureau of law enforcement and administration.

~~(17)~~ (19) The state veterinarian.

(b) The members of the council under subsection (a)(13) ~~(a)(14)~~, and ~~(a)(15)~~ through (a)(17) are nonvoting members.

(c) Representatives of the United States Department of Justice may serve as members of the council as the council and the Department of Justice may determine. Any representatives of the Department of Justice serve as nonvoting members of the council.

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